

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD JORDAN,

No. C 08-5432 WHA (PR)

Petitioner,

ORDER OF TRANSFER

v.

KEN CLARK, Warden,

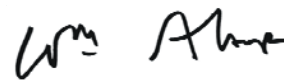
Respondent.

In this habeas case petitioner seeks to challenge a conviction and sentence incurred in the Superior Court of Los Angeles County. Los Angeles County is in the venue of the United States District Court for the Central District of California. Petitioner is incarcerated at Corcoran State Prison, which is in the Eastern District.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction are preferably heard in the district of conviction. Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Because petitioner was convicted in Los Angeles County, this case is **TRANSFERRED** to the United States District Court for the Central District of California. See 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b). In view of the transfer, the court will not rule on petitioner's motion to proceed in forma pauperis.

IT IS SO ORDERED.

Dated: December 8, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE